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May 24 2001

Practitioner's Docket No. 49674

TELE 202 200 2900

PATENT

97 1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Proost et al.

Serial No.: 09/537,858

Group No.: 1636

Filed: March 28, 2000

Examiner: L. Gansheroff

For: AMINO-TERMINALLY TRUNCATED RANTES AS CHEMOKINE  
ANTAGONISTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

a small entity. A statement:  
 is attached.  
 was already filed.  
 other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and or entry of an additional amendment after expiration of the shortened statutory period.

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

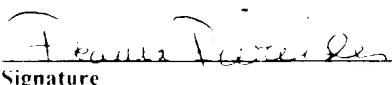
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service  
with sufficient postage as first class mail in an  
envelope addressed to the Assistant  
Commissioner for Patents, Washington, D.C.  
20231.

FACSIMILE

transmitted by facsimile to the Patent and  
Trademark Office.

  
Signature

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and or entry of a Notice of Appeal or filing and or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 OG 34-35).*

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

*(complete (a) or (b), as applicable)*

(a)  [ ] Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension <u>months</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$380.00	\$190.00
<input type="checkbox"/>	three months	\$870.00	\$435.00
<input type="checkbox"/>	four months	\$1360.00	\$680.00

Fee: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

[ ] An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of  
\$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now  
requested.

Extension fee due with this request \$\_\_\_\_\_

**OR**

(b)  [X] Applicant believes that no extension of term is required. However, this conditional  
petition is being made to provide for the possibility that applicant has inadvertently  
overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)	(Col. 3) SMALL ENTITY	OTHER THAN A SMALL ENTITY					
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra Rate	Addit. Fee	OR	Addit. Rate	Addit. Fee		
Total	*	Minus	**	=	x \$9 =	\$	x \$18 =	\$
Indep.	*	Minus	***	= 0	x \$39 =	\$	x \$78 =	\$ 0
[ ] First Presentation of Multiple Dependent Claim				+ \$130 =	\$		+ \$260 =	\$ 0
			Total Addit. Fee	OR	Total Addit. Fee	\$		

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

*(complete (c) or (d), as applicable)*

(c)  No additional fee for claims is required.

**OR**

(d)  Total additional fee for claims required \$ \_\_\_\_\_.

## FEE PAYMENT

5.  Attached is a check in the sum of \$ \_\_\_\_\_.  
 Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.  
 A duplicate of this transmittal is attached.

## FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to obtain a fee deficiency waiver. Authorization to charge does not cover for my fee deficiency.

6.  If any additional extension and/or fee is required, charge Account No. 04-1105.

**AND/OR**

If any additional fee for claims is required, charge Account No. 04-1105.



**SIGNATURE OF PRACTITIONER**

Reg. No. 33,860

Peter F. Corless

*(type or print name of practitioner)*

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Serial No.: 09/537,858

Examiner: L. Gansheroff

Filed: March 28, 2000

Group Art Unit: 1636

For: AMINO-TERMINALLY TRUNCATED RANTES AS CHEMOKINE ANTAGONISTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

## RESPONSE TO RESTRICTION REQUIREMENT

Applicants are in receipt of the Restriction Requirement dated April 19, 2001 for the above-referenced application.

Applicants respectfully request reconsideration of the Restriction Requirement, particularly for consideration of Groups I, III and IV, at this time, as the Groups are defined in the Restriction Requirement. It is believed that multiple Groups could be searched and examined together without undue burden. For example, Groups III and IV are each dependent from claims of Group I. Additionally, Groups III and IV each have common classification at both the class and sub-class level.

Further, consideration of multiple Groups, at this time, will save considerable time and expense for both Applicants and the U.S. Patent and Trademark Office.

For such reasons, examination of Groups I, III and IV, at this time, is respectfully requested.

U.S.S.N. 09/537,858

Filed: 03/28/01

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Early consideration and allowance of the application is earnestly solicited.

Respectfully submitted,

  
Peter F. Corless (Reg. No. 33,860)  
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